

APPLICATION NO. 10/612,519
ART UNIT 3653

REMARKS

Claim 1 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Haytayan in view of Beach 5056684, further unpatnetable over Haytayan in view of Lui et al, and moreover, being unpatnetable over Lamb 6302310 in view of Haytayan.

Responsive to this, applicant amends the claim 1 to add a limitation that is clearly supported by the Figure 7 of the present application and defines that the at least one washer (30) in the hole (15) is supported at its underside by the protrusions (16).

In comparison with Haytayan, the parts 244, 236 and 520 in the disclosure of Haytayan do no be support the washers, these parts are designed to absorb the force accompanied with the movement of the washers to the hole. In other words, in order to prevent the washer from bouncing back and cannot be positioned at the hole, the parts 244, 236 and 520 are used as cushion parts to slower the movement of the washer when it is sent to the hole. Accordingly, these parts 244, 236 and 520 are in contact with the periphery of the washer rather than to support the underside of the washer. These parts 244, 236 and 520 of Haytayan use a different way to position the washer and this way is different from the claimed dispenser so that Haytayan cannot made a person having ordinary skill in the art to think of the way that the claimed dispenser uses. Beach discloses a magazine and the washer can be horizontally sent to the nosepiece of the machine, the washer does not supported as claimed.

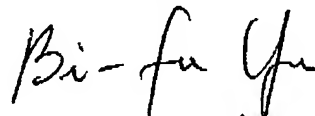
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Lui et al disclose a tube for storing washers and the washers can be pushed horizontally away from the tube, again, the washer is not supported by protrusions as claimed when the washer is pushed to the hole. Lamb discloses a spring protrusion extending from and into the hole. However, the feeding pawl (58) presses the cap against the ledge (59). This is obviously different from the claimed dispenser where the underside of the washer is supported by the protrusions and then the washer is pushed over the protrusions to be nailed.

The amended claim 1 is distinguishably patentable over the prior arts cited by the Examiner. It is believed that, the amended claim 1 has disclosed a structure whose construction and function are quite different from and patentably distinguishable over the cited prior arts. Therefore, it is believed that, the rejections under 35 U.S.C. 103 (a) should be removed, and the amended claim 1 should be allowable.

In view of the foregoing amendments and remarks, Applicant submits that the application is now in a condition for allowance and such action is respectfully requested.

Respectfully submitted,



BI-FU YU (Present of Besco Pneumatic Corp.,

The Assignee)